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AND RELATED MATTERS



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May 21, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/690,941 filed 10/21/03
Applicant: Christensen
Title: **PROSTHETIC FOOT WITH AN ADJUSTABLE ANKLE AND
METHOD**
Group Art Unit: 3738
Attorney Docket No. 22149

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is a
Supplemental Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§
1.97 and 1.98:

- ☒ Form PTO-1449 list of 100 references submitted for consideration.
- ☒ Legible copies of the listed foreign references or their relevant portions.
- ☒ Copies of U.S. patents and/or publications are not included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Supplemental Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

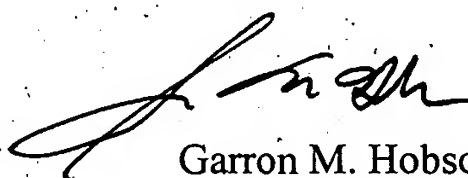
- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. _____, filed on _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. _____ in the amount of _____ (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,



Garron M. Hobson
Attorney for Applicant
Registration No. 41,073

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GMH/ef



PATENT APPLICATION 10/690,941
ATTORNEY DOCKET NO. 22149

IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 3738

EXAMINER:

APPLICANT: Christensen

SERIAL NO.: 10/690,941

FILED: 10/21/03

CONFRM. NO.: 7699

FOR: PROSTHETIC FOOT WITH AN
ADJUSTABLE ANKLE AND METHOD

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: May 21, 2004

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Garron M. Hobson

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☐ In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

☒ Legible copies of the listed non-patent literature and foreign documents or their relevant portions. Copies of U.S. patents and/or publications are NOT included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

☐ The references listed in the accompanying Form PTO-1449 are NOT enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 20 day of May, 2004.


Respectfully submitted,

A handwritten signature in black ink, appearing to read "Garron M. Hobson", written in a cursive style.

Garron M. Hobson
Attorney for Applicant
Registration No. 41,073

THORPE NORTH & WESTERN, LLP
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GMH/ef
Enclosure

		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 22149		SERIAL NO. 10/690,941	
		APPLICANT Christensen					
		FILING DATE 10/21/03		GROUP 3738			
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	42,799	May 17, 1864	Shepard			
	AB	92,031	June 29, 1869	Foster			
	AC	292,800	Feb. 5, 1884	Furrer			
	AD	497,026	May 9, 1893	Judson			
	AE	1,001,641	Aug. 29, 1911	Harrison			
	AF	1,779,765	Mar. 28, 1928	Eichhorn			
	AG	1,996,874	Aug. 28, 1933	Mascau			
	AH	2,036,830	Apr. 7, 1936	Rowley			
	AI	2,379,538	Jul. 3, 1945	Meierhofer			
	AJ	2,443,356	Apr. 2, 1946	Mathis			
	AK	2,453,969	Apr. 3, 1947	Carter			
	AL	2,470,480	Apr. 23, 1946	Fogg			
	AM	2,570,735	Mar. 18, 1949	Weise			
	AN	2,617,115	Jul. 25, 1949	Ellery			
	AO	2,640,200	Jul. 28, 1950	Wisbrun			
	AP	2,843,853	Nov. 26, 1956	Mauch			
	AQ	3,551,914	May 9, 1968	Woodall			
	AR	3,754,286	Aug. 28, 1973	Ryan			
	AS	3,871,032	Mar. 18, 1975	Karas			
	AT	3,874,004	Apr. 1, 1975	May			
	AU	3,906,552	Sept. 23, 1975	Weber			
	AV	3,920,610	Nov. 18, 1975	Wagner			
	AW	3,956,775	May 18, 1976	Moore			
	AX	3,982,280	Sept. 28, 1976	Asbelle et al.			
	AY	4,089,072	May 16, 1978	Glabiszewski			
	AZ	4,328,594	May 11, 1982	Campbell et al.			
	BA	4,506,395	Mar. 26, 1985	Haupt			
	BB	4,547,913	Oct. 22, 1985	Phillips			
	BC	4,645,509	Feb. 24, 1987	Poggi et al.			
	BD	4,676,801	Jun. 30, 1987	Lundeen			
	BE	4,721,510	Jan. 26, 1988	Cooper et al.			
	BF	4,822,363	Apr. 18, 1989	Phillips			
	BG	4,865,611	Sep. 12, 1989	Al-Turaiki			

PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 22149		SERIAL NO. 10/690,941	
LIST OF PRIOR ART CITED BY APPLICANT				APPLICANT Christensen			
				FILING DATE 10/21/03		GROUP 3738	
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BH	4,938,775	Jul. 3, 1990	Morgan			
	BI	4,959,073	Sep. 25, 1990	Merlette			
	BJ	5,019,109	May 28, 1991	Voisin			
	BK	5,030,239	Jul. 9, 1991	Copes			
	BL	5,037,444	Aug. 6, 1991	Phillips			
	BM	5,112,356	May 12, 1992	Harris et al.			
	BN	5,116,383	May 26, 1992	Shorter et al.			
	BO	5,156,632	Oct. 20, 1992	Wellershaus			
	BP	5,116,384	May 26, 1992	Wilson et al.			
	BQ	5,181,932	Jan. 26, 1993	Phillips			
	BR	5,181,933	Jan. 26, 1993	Phillips			
	BS	5,219,365	Jun. 15, 1993	Sabolich			
	BT	5,217,500	Jun. 8, 1993	Phillips			
	BU	5,290,319	Mar. 1, 1994	Phillips			
	BV	5,314,499	May 24, 1994	Collier, Jr.			
	BW	5,376,133	Dec., 1994	Gramnäs			
	BX	5,376,139	Dec. 27, 1994	Pitkin			
	BY	5,376,141	Dec. 27, 1994	Phillips			
	BZ	5,387,246	Feb. 7, 1995	Phillips			
	CA	5,425,781	Jun. 20, 1995	Allard et al.			
	CB	5,425,782	Jun. 20, 1995	Phillips			
	CC	5,443,528	Aug. 22, 1945	Allen			
	CD	5,443,529	Aug. 22, 1995	Phillips			
	CE	5,464,441	Nov. 7, 1995	Phillips			
	CF	5,458,656	Oct. 17, 1995	Phillips			
	CG	5,486,209	Jan 23, 1996	Phillips			
	CH	5,507,838	Apr. 16, 1996	Chen			
	CI	5,509,936	Apr. 23, 1996	Rappoport et al.			
	CJ	5,509,938	Apr. 23, 1996	Phillips			
	CK	5,514,185	May 7, 1996	Phillips			
	CL	5,514,186	May 7, 1996	Phillips			
	CM	5,549,714	Aug. 27, 1996	Phillips			

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U.S. PATENT DOCUMENTS							
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CN	5,571,210	Nov. 5, 1996	Lindh			
	CO	5,571,213	Nov. 5, 1996	Allen			
	CP	5,593,455	Jan. 14, 1997	Phillips			
	CQ	5,593,456	Jan. 14, 1997	Merlette			
	CR	5,593,457	Jan. 14, 1997	Phillips			
	CS	5,653,767	Aug. 5, 1997	Allen et al.			
	CT	5,725,598	Mar. 10, 1998	Phillips			
	CU	5,728,175	Mar. 17, 1998	Rincoe			
	CV	5,728,176	Mar. 17, 1998	Phillips			
	CW	5,728,177	Mar. 17, 1998	Phillips			
	CX	5,766,265	Jun. 16, 1998	Phillips			
	CY	5,769,896	Jun. 23, 1998	Rosendahl et al.			
	DA	5,776,205	Jul. 7, 1998	Phillips			
	DB	5,779,735	Jul. 14, 1998	Molino			
	DC	5,800,565	Sep. 1, 1998	Biedermann			
	DD	5,800,569	Sep. 1, 1998	Phillips			
	DE	5,824,112	Oct. 20, 1998	Phillips			
	DF	5,888,238	Mar. 30, 1999	Phillips et al.			
	DG	5,893,891	Apr. 13, 1999	Zahedi			
	DH	5,899,944	May 4, 1999	Phillips			
	DI	5,944,760	Aug. 31, 1999	Christensen			
	DJ	5,993,488	Nov. 30, 1999	Phillips			
	DK	5,976,191	Nov. 2, 1999	Phillips			
	DL	6,019,795	Feb. 1, 2000	Phillips			
	DM	6,071,313	Jun. 6, 2000	Phillips			
	DN	6,120,547	Sep. 19, 2000	Christensen			
	DO	6,165,227	Dec. 26, 2000	Phillips			
	DP	6,197,068	Mar. 6, 2001	Christensen			
	DQ	6,206,934	Mar. 27, 2001	Phillips			
	DR	6,241,776	Jun. 5, 2001	Christensen			
	DS	6,254,643	Jul. 3, 2001	Phillips			
	DT	6,261,324	Jul. 17, 2001	Merlette			
	DU	6,280,479	Aug. 28, 2001	Phillips			

PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 22149		SERIAL NO. 10/690,941	
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EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DV	6,290,730	Sept. 18, 2001	Pitkin et al.			
	DW	6,306,178	Oct. 23, 2001	Kania et al			
	DX	US2002/133237	May 10, 2002	Christensen			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	<u>TRANSLATION</u> YES NO
	DY	295,807	Dec. 21, 1916	Germany			
	DZ	556,381	Feb. 5, 1957	Italy			
	EA	1,550,658	Nov. 18, 1976	Great Britain			
	EB	2,033,772	Apr. 30, 1995	Russia			
	EC	1,191,633	May 13, 1970	Great Britain			
OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.							
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							